

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**WILLIAM A. FOSTER,**

**Defendant,**

**v.**

**CASE NO. 2:09-cv-214**

**JUDGE SARGUS**

**MAGISTRATE JUDGE ABEL**

**TIM BRUNSMAN, Warden,**


**Respondent.**

**ORDER**

This matter is before the Court on Petitioner's September 24, 2010, motion for reconsideration of the this Court's September 10, 2010, dismissing habeas corpus claim five and denying Petitioner's request for discovery, motion to expand the record, and evidentiary hearing. (Doc. 36.) In his motion for reconsideration, Petitioner makes arguments regarding the procedural default of claims three and four; however, those claims were not resolved in the order Petitioner now seeks this Court to reconsider, and such arguments will not now be considered here. Further, Petitioner has raised no reason for this Court to alter its denial of Petitioner's request for discovery, motion to expand the record, or evidentiary hearing.

Therefore, Petitioner's motion for reconsideration, (Doc. 38) is **DENIED**.

**IT IS SO ORDERED.**

 **E. Sargus** 2-22-2011  
United States Magistrate Judge